

केन्द्रीय सूचना आयोग
Central Information Commission
बाबा गंगनाथ मार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नई दिल्ली, New Delhi – 110067

द्वितीय अपील संख्या / Second Appeal No. **CIC/DEPOL/A/2024/126694**

Shyamal Mitra

.अपीलकर्ता/Appellant

VERSUS/बनाम

CPIO, Delhi Police, South West District

..प्रतिवादीगण/Respondent

Chief Information Commissioner : Raj Kumar Goyal

Date of Hearing : 24.12.2025

Date of Decision : 05.01.2026

Chief Information Commissioner: Raj Kumar Goyal

Relevant dates:

RTI application filed on : 26.03.2024
PIO replied on : 29.04.2024
First Appeal filed on : 08.06.2024
First Appellate Order on : 03.07.2024
2ndAppeal/complaint : 19.08.2024
received on

Information sought and background of the case:

1. The Appellant filed an RTI application dated 26.03.2024 before the Police Hq., seeking the following information:

- “1. मैं दिनांक 26.02.2024 रजिस्टर्ड पोस्ट नं. RD545920815IN द्वारा शिकायत पत्र दिया था, आज तक उस पर आपने क्या कार्यवाही की ?
2. यदि आपके द्वारा कोई कार्यवाही की गई है तो उसकी जांच रिपोर्ट की कापी उपलब्ध कराई जाये ?
3. जांच के परिणाम की एक प्रतिलिपि उपलब्ध कराई जाये।
4. जांच से सम्बन्धित पूरी फाईल की प्रतिलिपि उपलब्ध करायी जाये।
5. यदि सूचना के अधिकार के अन्तर्गत मांगी गयी जानकारी गलत पायी जाती है तो उसके लिए दोषी कौन है ? कार्यवाही व शिकायत का क्या प्रावधान है ? इसकी जानकारी दी जाये।”

2. The APIO, PHQ transferred the matter u/s 6(3) of the RTI Act to the relevant custodian of information, viz. South West District on 01.04.2024.

3. The APIO, O/o Addl. DCP, South West District responded on 29.04.2024 stating that as per report dated 12.03.2024 obtained from SI, PS Palam, the matter is under investigation, and therefore the final report cannot be disclosed u/s 8(1)(h) of the RTI Act.

4. Not satisfied with the PIO's reply, the Appellant filed the First Appeal dated 08.06.2024 on the grounds of delay, non disclosure of appellate procedures as required u/s 7(8) (ii) and (iii) alleging that the PIO displayed total ignorance and insensitivity.

5. The FAA/DCP, South West District adjudicated the First Appeal and issued an order dated 03.07.2024, directing PIO to furnish satisfactory reply within 3 weeks.

6. In compliance of FAA's order, PIO/Addl. DCP, South West District sent another reply dated 23.07.2024, enclosing a copy of the final report submitted by IO Amit Punia from PS Palam with respect to queries 1-4. The relevant extract of the report is as under:

"Enquiry was conducted in the matter. It is submitted that complainant alleged that to properly execute NBW issued by the Hon'ble court of Dwarka to be executed properly. Execution report submitted by the beat staff in Hon'ble court. No more police action required in this regard. So it is requested that complaint may be filed if approved."

7. Dissatisfied with the aforementioned report submitted in compliance with the FAA's order, the Appellant filed the instant Second Appeal because the NBW in his case has not been served on JD by the police officials of PS Palam village.

Facts emerging in course of Hearing:

8. Hearing was scheduled after giving prior notice to both the parties.

Appellant: Not present despite service of hearing notice.

Respondent: Mr. Vijay Kumar – ACP, South West District; Mr. Rajesh – Inspector

– PS: Palam Vihar and HC Manoj – RTI Cell, South West District, Vasant Vihar were present in person during hearing.

9. The Respondent during the hearing contended that the information sought by the Appellant had been duly provided to him from available records. The Respondent/CPIO-Addl. DCP, South West District placed reliance on written submission dated 16.12.2025 submitted before the Commission, reiterating the aforementioned facts and stated that the NBW issued by the Dwarka Court, referred by the Appellant could not be executed because the JD(Judgement debtor) against whom it was issued was untraceable.

Decision:

10. Upon hearing submissions of the Respondent and perusal of the records, it is noted that the Respondent- CPIO-Addl. DCP, South West District, Delhi Police has provided the requisite information available on record, in terms of the provisions of the RTI Act. The Appellant has not attended the hearing to contest his case. However the relief sought by the Appellant vide his Second appeal is distinctly distinguishable from his queries mentioned in the RTI Application, as he has sought action to be taken for execution of the NBW. Under the RTI Act, the applicant can ask for some information, but, cannot demand any action, as held by Hon'ble High Court of Gujarat in the case of Arvindbhai Ambalal Patel vs. State of Gujarat and Ors. in Special Civil Appeal No. 12223/2015 decided on 31.07.2015.

11. In the given circumstances, the Commission is of the considered opinion that information maintained by the Respondent public authority has been duly sent to the Appellant. The relief sought by the Appellant cannot be entertained under the RTI Act. Hence no further intervention is warranted in this case.

The appeal is dismissed accordingly.

Sd/-
Raj Kumar Goyal (राज कुमार गोयल)
Chief Information Commissioner (मुख्य सूचना आयुक्त)

Authenticated true copy
(अभिप्रमाणित सत्यापित प्रति)

Bijendra Kumar (बिजेन्द्र कुमार)
Dy. Registrar (उप-पंजीयक)/011-26186535

Recomendation(s) to PA under section 25(5) of the RTI Act, 2005:-

Nil